IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

WP(C).No. 5311 of 2007(G)

PETITIONER:

PODIMON,S/O.VELUMBAN,OLIYARUKIL PUTHEN VEEDU, AILARA, AYIRANALLOOR VILLAGE, PATHANAPURAM TALUK, KOLLAM DISTRICT.

BY ADV. SRI.B.MOHANLAL
SMT.MEREENA JOSEPH

RESPONDENTS:

1.THE SUPERINTENDENT OF POLICE, POLICE HEAD QUARTERS, KOLLAM.

2.THE SUB INSPECTOR OF POLICE, EROOR POLICE STATION, ANCHAL, KOLLAM.

3.PAPPAN,CONVENOR CIRU, PATTHADI UNIT, VADAKKEVILA VEEDU, THOLOOR, PATTHADI, PATHANAPURAM TALUK, KOLLAM DISTRICT.

4.SAKEER, CONVENOR INTUC, PATTHADI UNIT, AFSAL MANZIL, PATTHADI, EROOR, PATHANAPURAM TALIK, KOLLAM DIST.

5.KUNJUMON,CONVENOR AITUC, PATTHADI UNIT, THIRUNELLI HOUS, PATHADI, EROOR, PATHANAPURAM TALUK, KOLLAM DISTRICT.

6.JOSEPH, SECRETARY, KTUC, PATHADI UNIT, NEBIL MANZIL, PATHADI, EROOR, PATHANAPURAM TALUK, KOLLAM DISTRICT.

7.GEMINI, CONVENOR, KTUC (JACOB), PATHADI UNIT, ELLUVIL VEEDU, PATHADI, EROOR, PATHANAPURAM TALUK, KOLLAM DISTRICT.

8.SHAHUL HAMEED, SECRETARY, INLC, PATHADI UNIT, POOVANATHUMMOODU VEEDU, PATHADI, EROOR, PATHANAPURAM TALUK, KOLLAM DISTRICT.

9.HASSAN, PRESIDENT, STU, PATHADI UNIT, VATTAVILA VEEDU, EROOR, PATHANAPURAM TALUK, KOLLAM DISTRICT.

BY GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).5311/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE AGREEMENT EXECUTED BETWEEN THE PETITIONER AND REGISTERED OWNER OF THE PROPERTY.

EXT.P2: COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT ON 7.2.2007.

/TRUE COPY/

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C).NO.5311 OF 2007 (G)

Dated this the 27th day of February, 2007

J U D G M E N T

KOSHY,J.

This is a petition for police protection. According to the petitioner, petitioner entered into an agreement for slaughtering of rubber trees. But petitioner is unable to complete the work because loading and unloading works are obstructed by respondents 3 to 9. It is true that cutting of rubber trees are to be done by petitioner's own employees as Head load Worker's Act is not applicable for such works. Loading and unloading of rubber trees shall be carried out by the respondents workers in the locality. It is the petitioner's case that because of the inter union rivalries, petitioner is unable to remove the trees. Govt.Pleader submitted that parties have approached the police station for settlement. If there is no settlement, petitioner is allowed to carry out his

work by engaging registered workers of the local area giving equal distribution of works to respondent Unions 3 to 9 at the agreed rates of wages and police shall give adequate protection provided there is no civil dispute. If there is settlement, police should see that work is carried out as per settlement. With the above directions this writ petition is disposed of.

J.B.KOSHY, JUDGE

T.R.RAMACHANDRAN NAIR, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

1th January, 2007